

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT				1. CONTRACT ID CODE <div style="text-align: center;">J</div>		PAGE OF PAGES <div style="text-align: center;">1 8</div>	
2. AMENDMENT/MODIFICATION NO. <div style="text-align: center;">0003</div>		3. EFFECTIVE DATE <div style="text-align: center;">18-Jun-2004</div>		4. REQUISITION/PURCHASE REQ. NO. <div style="text-align: center;">W81G66-4097-2343</div>		5. PROJECT NO.(If applicable)	
6. ISSUED BY U. S. ARMY ENGINEER DISTRICT, CHICAGO 111 CANAL STREET CHICAGO IL 60606		CODE <div style="text-align: center;">W912P6</div>		7. ADMINISTERED BY (If other than item 6) <div style="text-align: center; font-weight: bold;">See Item 6</div>			
8. NAME AND ADDRESS OF CONTRACTOR (No., Street, County, State and Zip Code)				X 9A. AMENDMENT OF SOLICITATION NO. W912P6-04-B-0002			
				X 9B. DATED (SEE ITEM 11) 19-May-2004			
				10A. MOD. OF CONTRACT/ORDER NO.			
				10B. DATED (SEE ITEM 13)			
CODE		FACILITY CODE					
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS							
<input checked="" type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offer <input checked="" type="checkbox"/> is extended, <input type="checkbox"/> is not extended. Offer must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended by one of the following methods: (a) By completing Items 8 and 15, and returning <u>1</u> copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.							
12. ACCOUNTING AND APPROPRIATION DATA (If required)							
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.							
A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.							
B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(B).							
C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:							
D. OTHER (Specify type of modification and authority)							
E. IMPORTANT: Contractor <input type="checkbox"/> is not, <input type="checkbox"/> is required to sign this document and return _____ copies to the issuing office.							
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.) SUBJECT: SOLICITATION NO. W912P6-04-B-0002, PHASE 2 LANDSCAPING IN GARY, INDIANA 1. Under this Amendment No. 0003, the following areas of the Solicitation Package are amended, as delineated below: a. SPECIFICATIONS - See Part A of this Amendment b. SOLICITATION - See Part B of this Amendment 2. THE BID OPENING DATE HAS BEEN EXTENDED TO 24 JUNE 2004, AT 200P.M., CHICAGO LOCAL TIME. ALL BIDS EITHER HANDCARRIED OR MAILED MUST BE RECEIVED BY 2:00P.M. CHICAGO LOCAL TIME AT THE FOLLOWING LOCATION: US Army Corps of Engineers, 111 North Canal Street, Suite 600, Chicago, Illinois 60606 - SEE PAGE 2 FOR CONTINUATION OF THIS MODIFICATION - Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.							
15A. NAME AND TITLE OF SIGNER (Type or print)				16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)			
				TEL: _____ EMAIL: _____			
15B. CONTRACTOR/OFFEROR _____ (Signature of person authorized to sign)		15C. DATE SIGNED		16B. UNITED STATES OF AMERICA BY _____ (Signature of Contracting Officer)		16C. DATE SIGNED 18-Jun-2004	

SECTION SF 30 BLOCK 14 CONTINUATION PAGE

SUMMARY OF CHANGES

3. This Amendment provides answers to contractor's questions that were submitted after Amendment #0002 was issued.

The Bid Opening will take place at the US Army Corps of Engineers – Chicago District Office, 111 North Canal Street, Suite 600, Chicago, Illinois 60606, in the Main Conference Room in Suite 600, on the 6th Floor.

- The Description of this Amendment Continues on Page 2

4. Point of Contact for this Amendment is Anita Simpkins at 312-846-5372.

PART A – AMENDMENTS TO THE SPECIFICATIONS:

1. Remove and replace the following pages accordingly: **(NOTE: The revisions identified on the replacement pages are marked by an asterisk (*) on the left margin denoting the beginning of the change and an asterisk (*) on the right margin denoting the end of the revision. The replacement pages are marked with “AM-0002” next to the page number.)**

- At Section 02923, remove the following page - 02923-6 and replace with the attached revised page.

- At Section 02923, add Page 02023-1a.

2. Add the following Section 01330:

- Pages 01330-1 through 01130-6

PART B – AMENDMENTS TO THE SOLICITATION:

1. CHANGE TO SECTION B – *SUPPLIES OR SERVICES AND PRICES*: Remove and Replace Section B with the Revised Bidding Schedule, which is incorporated by way of this Amendment. All bidders must submit their bid prices on the Revised Bid Schedule to be considered responsive to the subject Invitation for Bid No. W912P6-04-B-0002. The Revised Bid Schedule is on the next page.

NOTE: Line Items #0005AA, 0005AB, 0005AC and 0005AD have been changed with this Amendment.

BIDDING SCHEDULE (REVISED – AMENDMENT #0003)

Section B – **SUPPLIES OR SERVICES AND PRICES** – Bidding Schedule

The Contractor shall provide all necessary labor, equipment, tools, and material to perform the following:

ITEM NO SUPPLIES/SERVICES
0001

SEEDING

This is an informational Item – Bidders shall price Sub-Items 0001AA-0001AC

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0001AA		63	Acre		
	Seed Mix 1				
	Firm Fixed-Price (FFP)				
				NET AMT	_____

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0001AB		12	Acre		
	Seed Mix 2				
	FFP				
				NET AMT	_____

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0001AC		3	Acre		
	Mix 3 Plugs				
	FFP				
				NET AMT	_____

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0002		1	Lump Sum		
	PLANTING OF TREES				
	FFP				
				NET AMT	_____

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0003		1	Lump Sum		
	SITE MANAGEMENT AND MONITORING - 5-Year Period				
	Work Includes: Implementation, Management, Monitoring, Maintenance, and Enhancement. (Refer to Specification Sections 02050, 02240, and 02923)				
	FFP				
				NET AMT	

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0004		1	Lump Sum		
	REMOVAL OF DEBRIS, RUBBISH AND REPAIR OF RUTS				
	FFP				
				NET AMT	

ITEM NO	SUPPLIES/SERVICES
0005	
	HERBICIDING INVASIVES
	This is an informational Item – Bidders shall price Sub-Items 0005AA-0005AD

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0005AA		75	Acre		
	Initial Herbicide Application				
	FFP				
				NET AMT	

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0005AB		75	Acre		
	Follow-up Herbicide Application No. 1				
	FFP				
				NET AMT	

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0005AC	Follow-up Herbicide Application No. 2 FFP	75	Acre		

NET AMT _____

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0005AD	Follow-up Herbicide Application No. 3 FFP	75	Acre		

NET AMT _____

TOTAL BID AMOUNT (ITEMS 0001 THROUGH 0005AD): \$_____**NOTES:**

a. A Pre-Bid Conference will be conducted on Thursday, 3 June 2004 at 10:00a.m. Chicago Local Time at the NIPC Office located at 6100 Southport Road in Portage, Indiana. All interested Bidders are encouraged to attend. During this Conference, the requirements set forth in the solicitation will be reviewed and discussed, with part of the conference to include a question and answer period.

b. Prospective Bidders shall submit any questions in writing at least two (2) days prior to the Conference date by fax (312) 886-5475, ATTN: Linda Zamarocy, Contracting Office. Questions may also be mailed to: Chicago District, Corps of Engineers, ATTN: Linda Zamarocy, CELRC-CT, 111 N. Canal Street, Suite 600, Chicago, IL 60606. Questions asked at the conference will be noted and answers will be furnished at a later date to all prospective Offerors who have officially ordered this solicitation. Those attending the Conference shall provide their own transportation.

QUESTIONS SUBMITTED
AFTER AMENDMENT #0002 ISSUANCE
CONTRACTOR'S QUESTIONS

Q=Question**A=Answer**

Q1. Sheet L-17 of the plans shows the work limits extending into the ROW of I-94 beyond the fence and to the edge of pavement. On other sheets, the ROW is marked N.I.C. Is it correct that this area on L-17 is within the work limits? If so, how is access proposed?

A1. Yes, the work limits are shown correctly. The drawing shows that you may access the site from Georgia Street.

Q2. Amendment 0002 changed FAR 52.211-10 to allow 430 days for implementation from the original 30 months (approximately 912 days) effectively cutting in half the allowed time for implementation. This in effect allows only one month for seeding (preference is expressed for seeding to occur from Oct 15 to Nov 15) and negates the Amendment change to the implementation schedule on page 2050-4 allowing seeding to occur in years one and two. Is this the intent of the change?

A2. Refer to Section 02923, page 6 of Amendment #0003.

Q3. Numerous references are made to Section 1330, Submittal Procedures, also listed in the index. Could you provide this section?

A3. Section 01330 will be incorporated by Amendment #0003. I will notify when it is ready for downloading.

Q4. 1.c. "Replace pages 1 of 4 and 2 of 4 of Table 1: Little Cal River Landscape Contract 2 Native Seed Mix 1 for Levees" The acreage for Mix 1 decreased from 89 Acres to 63 Acres. In the Q&A Section, this was referred to in Q.9: "the reduction in acreage is due to moving the work limits" (it seemed like a substantial decrease, so I wanted to double check).

A4. Yes the decrease in acreage is correct.

Q5. "Revise paragraph 1.2.1 Earth Fill, shown on Page 02923-5, as follows..." there was another note in A.1.c. to remove page 02923-1 and replace it with 02923-1(Amd-0002) that covered the change to 1.2.1. Is there something that needs to be changed on page 02923-5?

A5. There are no changes on page 02923-5. Please refer to Amendment #0002, page 19 of 20, Question 10 and Answer 10.

Q6. "Remove and Replace drawing sheet nos. L-01 through L-24..." there was not another page for L-01a. Should this be replaced, omitted, or stay the same?

A6. Page L-01a was not amended and was not included in amendment #0002.

Q7. Amd-0002 pages L-08 through L-14 and page L-24 were not numbered (though it was easy to figure out which was which). Does this matter?

A7. Amendment #0002 will be reposted on the web site by tomorrow morning for Amendment #0002. Amendment #0003 does not require any new changes to the Plans. The Plans for Amendment #0002 were loaded incorrectly to the site for downloading. I will notify when Amendment #0003 is ready for downloading.

Q8. The start date, for this project?

A8. The start date depends on when the Notice to Proceed (NTP) is issued.

Q9. The complete date, for this project?

A9. Refer to Amendment #0002, FAR Clause "52.211-10 COMMENCEMENT, PROSECUTION, AND COMPLETION OF WORK (APR1984)."

Q10. What size Herbaceous Plugs are you looking to be used?

A10. This Solicitation is for a Commercial Service. We only require what is the industry standard for this type of work, i.e., vegetative plant plugs of a size typically used in large-scale wetland restorations and landscaping projects using native plant species.

Q11. I would also like to have a copy of the questions and answers that may have been asked at the Pre-bid Conference?

A11. Refer to Amendment #0002, Pages 1 of 18, 1 of 19 and 1 of 20.

-End of Questions-

are to detect contamination and produce results that are comparable to the referenced IDEM RISC Technical Guide - Appendix 1 (January 1, 2004 update); Table A: Default Closure: Residential Closure Levels.

3.1.2 Analytical Results

Soil obtained from an earth fill borrow site will be considered clean if the values obtained by the analysis of all parameters are below the levels described in the IDEMs RISC Residential Closure Levels.

3.1.3 Final Report

After completing soil sampling and testing earth fill borrow source, the Contractor shall prepare and submit a soil sampling report. The report shall consist of, at a minimum: a narrative of information obtained during sampling, copy of field notes, identification of sample locations from borrow material, soil material classification demonstrating all materials meet all requirements of the paragraph titled "Satisfactory Materials", copies of chain of custody forms, copies of laboratory data, a table comparing analytical results to IDEMs RISC Residential Closure Levels, discussion of results, and conclusions. The Contractor is responsible for maintaining accurate records to support information for development of the borrow source.

3.1.4 Payment

No separate payment will be made for furnishing and placing of earth fill and for all items covered in this paragraph. This work shall be considered incidental to work in this section.

3.2 SEEDING TIMES

* Seeding shall occur between 15 October and 15 November, before tree planting. All initial seeding is to be complete within the time allowed (see Amd-0002, Para. FAR 52.211-10) following the Notice to Proceed. * Deviation from these planting dates shall be permitted only when approved in writing by the Contracting Officer's Representative. Actual planting shall be performed during the above period only when soil conditions and weather are suitable and in accordance with locally accepted practices, as approved by the COR. Planting operations shall be suspended during periods when air temperature is below freezing or above 85F.

3.3 HERBACEOUS PLUG PLANTING

* Plugs should be planted in the spring between 1 April and 15 June. All initial plug planting is to be complete within the time allowed (see Amd-0002, Para. FAR 52.211-10) following the Notice to Proceed. Deviation from these planting dates shall be permitted only when approved in writing by the COR. Actual planting shall be performed during the above period only when soil conditions and weather are suitable and in accordance with locally accepted practices, as approved by the COR. Planting operations shall be suspended during periods when air temperature is below freezing or above 85F. *

3.3.1 Plug Planting Density

Plug planting densities are given in Table 3.

02923-6 (Amd-0003)

3.3.2 Water Depth for Plug Plantint

Water depths for plug plantings are given in Table 3.

SECTION 01330

SUBMITTAL PROCEDURES

PART 1 GENERAL

1.1 SUBMITTAL IDENTIFICATION (SD)

Submittals required are identified by SD numbers and titles as follows:

SD-01 Preconstruction Submittals

- Certificates of insurance.
- Surety bonds.
- List of proposed subcontractors.
- List of proposed products.
- Construction Progress Schedule.
- Submittal schedule.
- Schedule of values.
- Health and safety plan.
- Work plan.
- Quality control plan.
- Environmental protection plan.

SD-02 Shop Drawings

Drawings, diagrams and schedules specifically prepared to illustrate some portion of the work.

Diagrams and instructions from a manufacturer or fabricator for use in producing the product and as aids to the contractor for integrating the product or system into the project.

Drawings prepared by or for the contractor to show how multiple systems and interdisciplinary work will be coordinated.

SD-03 Product Data

Catalog cuts, illustrations, schedules, diagrams, performance charts, instructions and brochures illustrating size, physical appearance and other characteristics of materials or equipment for some portion of the work.

Samples of warranty language when the contract requires extended product warranties.

SD-06 Test Reports

Report signed by authorized official of testing laboratory that a material, product or system identical to the material, product or system to be provided has been tested in accord with specified requirements. (Testing must have been within three years of date of contract award for the project.)

Report which includes findings of a test required to be performed by the contractor on an actual portion of the work or prototype prepared for the project before shipment to job site.

Report which includes finding of a test made at the job site or on

sample taken from the job site, on portion of work during or after installation.

Investigation reports

Daily checklists

Final acceptance test and operational test procedure

SD-07 Certificates

Statements signed by responsible officials of manufacturer of product, system or material attesting that product, system or material meets specification requirements. Must be dated after award of project contract and clearly name the project.

Document required of Contractor, or of a supplier, installer or subcontractor through Contractor, the purpose of which is to further quality of orderly progression of a portion of the work by documenting procedures, acceptability of methods or personnel qualifications.

Confined space entry permits.

SD-10 Operation and Maintenance Data

Data intended to be incorporated in operations and maintenance manuals.

SD-11 Closeout Submittals

Documentation to record compliance with technical or administrative requirements or to establish an administrative mechanism.

As-built drawings.

Special warranties.

Posted operating instructions.

Training plan.

1.2 SUBMITTAL CLASSIFICATION

Submittals are classified as follows:

1.2.1 Government Approved

Government approval is required for extensions of design, critical materials, deviations, equipment whose compatibility with the entire system must be checked, and other items as designated by the Contracting Officer. Within the terms of the Contract Clause entitled "Specifications and Drawings for Construction," they are considered to be "shop drawings."

1.2.2 Information Only

All submittals not requiring Government approval will be for information only. They are not considered to be "shop drawings" within the terms of the Contract Clause referred to above.

1.3 APPROVED SUBMITTALS

The COR's approval of submittals shall not be construed as a complete check, but will indicate only that the general method of construction, materials, detailing and other information are satisfactory. Approval will not relieve the Contractor of the responsibility for any error which may exist, as the Contractor under the Contractor Quality Control (CQC) requirements of this contract is responsible for dimensions, the design of adequate connections and details, and the satisfactory construction of all work. After submittals have been approved by the Contracting Officer, no resubmittal for the purpose of substituting materials or equipment will be considered unless accompanied by an explanation of why a substitution is necessary.

1.4 DISAPPROVED SUBMITTALS

The Contractor shall make all corrections required by the Contracting Officer or the COR and promptly furnish a corrected submittal in the form and number of copies specified for the initial submittal. If the Contractor considers any correction indicated on the submittals to constitute a change to the contract, a notice in accordance with the Contract Clause "Changes" shall be given promptly to the Contracting Officer.

1.5 WITHHOLDING OF PAYMENT

Payment for materials incorporated in the work will not be made if required approvals have not been obtained.

1.6 GENERAL

The Contractor shall make submittals as required by the specifications. The Contracting Officer may request submittals in addition to those specified when deemed necessary to adequately describe the work covered in the respective sections. Units of weights and measures used on all submittals shall be the same as those used in the contract drawings. Each submittal shall be complete and in sufficient detail to allow ready determination of compliance with contract requirements. Prior to submittal, all items shall be checked and approved by the Contractor's Quality Control (CQC) System Manager and each item shall be stamped, signed, and dated by the CQC System Manager indicating action taken. Proposed deviations from the contract requirements shall be clearly identified. Submittals shall include items such as: Contractor's, manufacturer's, or fabricator's drawings; descriptive literature including (but not limited to) catalog cuts, diagrams, operating charts or curves; test reports; test cylinders; samples; O&M manuals (including parts list); certifications; warranties; and other such required submittals. Submittals requiring Government approval shall be scheduled and made prior to the acquisition of the material or equipment covered thereby. Samples remaining upon completion of the work shall be picked up and disposed of in accordance with manufacturer's Material Safety Data Sheets (MSDS) and in compliance with existing laws and regulations. Six (6) copies of each submittal shall be sent to the following address: US Army Corps of Engineers, Calumet Area Office, 906 Griffith Boulevard, Griffith, IN 46319.

1.7 SUBMITTAL REGISTER

At the end of this section is a submittal register (ENG FORM 4288) showing items of equipment and materials for which submittals are required by the

specifications; this list may not be all inclusive and additional submittals may be required. The Contractor shall maintain a submittal register for the project.

1.8 SCHEDULING

Submittals covering component items forming a system or items that are interrelated shall be scheduled to be coordinated and submitted concurrently. Certifications to be submitted with the pertinent drawings shall be so scheduled. Adequate time (a minimum of 30 calendar days exclusive of mailing time) shall be allowed and shown on the register for review and approval. No delay damages or time extensions will be allowed for time lost in late submittals.

1.9 TRANSMITTAL FORM (ENG FORM 4025)

The sample transmittal form (ENG Form 4025) attached to this section shall be used for submitting both Government approved and information only submittals in accordance with the instructions on the reverse side of the form. These forms will be furnished to the Contractor. This form shall be properly completed by filling out all the heading blank spaces and identifying each item submitted. Special care shall be exercised to ensure proper listing of the specification paragraph and/or sheet number of the contract drawings pertinent to the data submitted for each item.

1.10 DEVIATIONS

For submittals which include proposed deviations requested by the Contractor, the column "variation" of ENG Form 4025 shall be checked. The Contractor shall set forth in writing the reason for any deviations and annotate such deviations on the submittal. The Government reserves the right to rescind inadvertent approval of submittals containing unnoted deviations.

1.11 CONTROL OF SUBMITTALS

The Contractor shall carefully control his procurement operations to ensure that each individual submittal is made on or before the Contractor scheduled submittal date shown on the approved "Submittal Register."

1.12 GOVERNMENT APPROVED SUBMITTALS

Upon completion of review of submittals requiring Government approval, the submittals will be identified as having received approval by being so stamped and dated. 4 copies of the submittal will be retained by the Contracting Officer and 2 copies of the submittal will be returned to the Contractor.

1.13 INFORMATION ONLY SUBMITTALS

Normally submittals for information only will not be returned. Approval of the Contracting Officer is not required on information only submittals. The Government reserves the right to require the Contractor to resubmit any item found not to comply with the contract. This does not relieve the Contractor from the obligation to furnish material conforming to the plans and specifications; will not prevent the Contracting Officer from requiring removal and replacement of nonconforming material incorporated in the work; and does not relieve the Contractor of the requirement to furnish samples for testing by the Government laboratory or for check testing by the

Government in those instances where the technical specifications so prescribe.

1.14 STAMPS

Stamps used by the Contractor on the submittal data to certify that the submittal meets contract requirements shall be similar to the following:

<p>CONTRACTOR</p> <p>(Firm Name)</p> <p>_____ Approved</p> <p>_____ Approved with corrections as noted on submittal data and/or attached sheets(s).</p> <p>SIGNATURE: _____</p> <p>TITLE: _____</p> <p>DATE: _____</p>

PART 2 PRODUCTS (Not Applicable)

PART 3 EXECUTION (Not Applicable)

-- End of Section --